

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,                     )  
   )  
   v.                     )  
   ) CRIMINAL NO. 04-30034-PBS  
MICHAEL ALAN CROOKER                     )  
   Defendant.                     )

CERTIFICATE OF INNOCENCE AND CERTIFICATE OF REQUISITE FACTS  
PURSUANT TO 28 U.S.C. §§ 1495 AND 2513(b)  
November 20, 2010

SARIS, D.J.

In accordance with the Memorandum and Order issued this date granting defendant Michael Alan Crooker's ("Crooker") motions for a certificate of innocence and a certificate of requisite facts pursuant to 28 U.S.C. §§ 1495 and 2513(b), this Court hereby CERTIFIES the following:

- (1) Crooker was convicted of Transportation of a Firearm in Interstate Commerce by a Convicted Felon in violation of 18 U.S.C. §§ 921 and 922(c) in United States v. Crooker, CR 04-30034-PBS (formerly MAP);
- (2) Crooker's conviction was reversed by the United States Court of Appeals for the First Circuit on the ground that he is not guilty of the offense of which he was convicted in connection with United States v. Crooker, CR 04-30034-PBS (formerly MAP), as appears from the record of the court setting aside or reversing such conviction. See United States v. Crooker, 608 F.3d 94 (1st Cir. 2010)(reversing conviction and remanding for entry of Judgment of Acquittal based on the finding that the silencer at issue did not qualify as a "firearm" within the meaning of the statutory definition of 18 U.S.C. §§ 921(a)(3)© and 924); Mandate (Docket No. 263); and Judgment of Acquittal (Docket No. 264). See also 28 U.S.C. § 2513(a)(1).
- (3) Crooker's acts, deeds, or omissions in connection with the charge of Transportation of a Firearm in Interstate Commerce

by a Convicted Felon pursuant to 18 U.S.C. §§ 921 and 922© in United States v. Crooker, CR 04-30034-PBS (formerly MAP) constituted no offense against the United States, or any State, Territory or the District of Columbia, and Crooker did not by his misconduct or neglect cause or bring about his own prosecution. See 28 U.S.C. § 2513(a)(2).

/s/ Patti B. Saris  
UNITED STATES DISTRICT JUDGE